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General Assembly

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Human Rights Council
Twenty-eighth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council

28/13. Birth registration and the right of everyone to recognition everywhere as a person before the law

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the human right of everyone to be recognized everywhere as a person before the law, which is enshrined in, inter alia, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities and other relevant international instruments,

Recalling the obligation of States to register all children immediately after birth, without discrimination of any kind, as provided for in the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and other relevant international instruments to which they are party,

Recognizing the importance of a human rights-based approach to birth registration, based on international human rights obligations and commitments operationally directed to promoting and protecting human rights,

Welcoming the continuing efforts of the Committee on the Rights of the Child and other treaty-based bodies towards universal birth registration, such as through recommendations widely addressed to States in this regard,

Recalling the resolutions adopted by the General Assembly and the Human Rights Council in which they call upon States to ensure the registration of all children immediately after birth, and without discrimination of any kind, the most recent being Assembly resolution 69/157 of 18 December 2014 and Council resolution 22/7 of 21 March 2013,

Recognizing the importance of birth registration, including late birth registration and the provision of documents of proof of birth, as a means of providing an official record of the existence of a person and the recognition of that individual as a person before the law,

Expressing concern that unregistered individuals may have limited or no access to services and the enjoyment of all the rights to which they are entitled, and taking into consideration that registering a person's birth is a vital step towards the promotion and protection of all of his or her human rights, and that persons without birth registration are more vulnerable to marginalization, exclusion, discrimination, violence, statelessness, exploitation and abuse,

Recognizing that free birth registration and free or low-fee late birth registration are part of a comprehensive civil registration system that facilitates the development of vital statistics and the effective planning and implementation of programmes and policies intended to promote better governance and to achieve internationally agreed development goals,

Recognizing also the efforts made at the regional level to achieve universal birth registration, including within the 2015–2024 Civil Registration and Vital Statistics Decade for Asia and the Pacific, and the Decade on Civil Registration 2015–2024 in Africa,

Recognizing further that non-governmental organizations, professional associations, media, the private sector and other members of civil society, including those involved in public-private partnerships, can also contribute to the improvement and promotion of community awareness of birth registration in a manner that reflects national priorities and strategies,

1. *Expresses concern* at the fact that, despite ongoing efforts to increase the global rate of birth registration, approximately 230 million children under the age of 5 worldwide are still not registered, according to the United Nations Children's Fund;

2. *Reminds* States of their obligation to register births without discrimination of any kind and irrespective of the status of the parents of the child, and also reminds States that birth registration should take place immediately after birth, and that late birth registration should be limited to those cases that would otherwise result in a lack of registration;

3. *Welcomes* the report of the Office of the United Nations High Commissioner for Human Rights on birth registration and the right of everyone to recognition everywhere as a person before the law,[1] which documents the wide range of barriers to access to universal birth registration and the good practices adopted by States in fulfilling their obligation to ensure birth registration;

4. *Calls upon* States to establish or strengthen existing institutions at all levels responsible for birth registration and the preservation and security of such records, to ensure adequate training for registration officers, to allocate sufficient and adequate human, technical and financial resources to fulfil their mandate, and to increase, as needed, the accessibility of birth registration facilities, either by increasing the number or through other means, such as mobile birth registration officials in rural areas, paying attention to the local community level, promoting community awareness and working to address the barriers faced by vulnerable groups, such as persons with disabilities, in their access to birth registration;

[1] A/HRC/27/22

5. *Also calls upon* States to take all appropriate measures to permanently store and protect civil registration records and to prevent the loss or destruction of records due to emergency or armed conflict situations;

6. *Further calls upon* States to ensure free birth registration, including free or low-fee late birth registration, by means of universal, accessible, simple, expeditious and effective registration procedures, without discrimination of any kind;

7. *Calls upon* States to raise awareness of birth registration continuously at the national, regional and local levels, including by engaging in collaboration with all relevant actors in public campaigns that raise awareness of the importance of birth registration for effective access to services and the enjoyment of human rights;

8. *Also calls upon* States to ensure that lack of birth registration or documents of proof of birth does not constitute an obstacle to access to and the enjoyment of relevant national services and programmes in accordance with international human rights law;

9. *Urges* States to identify and remove physical, administrative, procedural and any other barriers that impede access to birth registration, including late registration, paying due attention to, inter alia, barriers relating to poverty, disability, gender, nationality, displacement, illiteracy and detention contexts, and persons in vulnerable situations;

10. *Invites* States and other relevant stakeholders to work towards ensuring universal birth registration through, inter alia, the exchange of good practices and technical assistance, including through the universal periodic review and other relevant mechanisms of the Human Rights Council;

11. *Encourages* States to request technical assistance, if required, from relevant United Nations bodies, agencies, funds and programmes and other relevant stakeholders in order to fulfil their obligation to undertake birth registration as a means of respecting the right of everyone to be recognized everywhere as a person before the law;

12. *Invites* relevant United Nations bodies, agencies, funds and programmes and other relevant stakeholders to cooperate with States in providing technical assistance, upon request, and calls upon them to ensure that persons with no birth registration are not discriminated against in any of their programmes;

13. *Recognizes* the importance of international cooperation in supporting national efforts to ensure universal birth registration;

14. *Requests* the High Commissioner to identify and actively pursue opportunities to collaborate with the United Nations Statistics Division and other relevant United Nations agencies, funds and bodies, as well as other relevant stakeholders, in order to strengthen existing policies and programmes aimed at universal birth registration and vital statistics development, and to ensure that they are based on international standards, taking into account best practices, and are implemented in accordance with relevant international human rights obligations, and also requests the High Commissioner to prepare a report on efforts made in this regard and to submit it to the Human Rights Council at its thirty-third session;

15. *Decides* to consider this issue in accordance with its annual programme of work.

55th meeting
26 March 2015

[Adopted without a vote.]

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Human Rights Council
Twenty-eighth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council

28/14. Human rights, democracy and the rule of law

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action,

Reaffirming also the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and other relevant international human rights instruments,

Recalling the Millennium Declaration and all General Assembly resolutions on democracy and the rule of law,

Reaffirming its resolution 19/36 of 23 March 2012 on human rights, democracy and the rule of law, and relevant resolutions of the Commission on Human Rights,

Taking note of the study of the United Nations High Commissioner for Human Rights of 2012[1] and the outcome of the panel discussion,[2] held on 11 June 2013 during the twenty-third session of the Human Rights Council, both on the theme of common challenges facing States in their efforts to secure democracy and the rule of law from a human rights perspective,

Reaffirming that democracy is based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Reaffirming also that, while democracies share common features, there is no single model of democracy and that democracy does not belong to any country or region, and

[1] A/HRC/22/29.
[2] See A/HRC/24/54.

reaffirming further the necessity of due respect for sovereignty and the right to self-determination,

Bearing in mind that challenges to democracy arise in all democratic societies,

Acknowledging the fundamental importance of education and training for human rights and democracy in contributing to the promotion, protection and effective realization of all human rights,

Underlining that while States have the primary responsibility for safeguarding and strengthening democracy and the rule of law, the United Nations has a critical role in providing assistance and coordinating international efforts to support States, on their request, in their democratization processes,

Urging States to acknowledge the important contribution of civil society and human rights defenders to the promotion of human rights, democracy and the rule of law, and to create a safe and enabling environment for their work,

Recognizing the value of a Human Rights Council forum for exchange, dialogue, mutual understanding and cooperation on issues related to human rights, democracy and the rule of law, in accordance with the principles and purposes of the Charter, and acknowledging the importance of existing regional formats,

Stressing that human rights, democracy and the rule of law are interdependent and mutually reinforcing, and in this regard taking note with interest of the report of the Secretary-General on strengthening and coordinating United Nations rule of law activities,[3] in which the Secretary-General addressed the ways and means of developing further the linkages between the rule of law and the three main pillars of the United Nations: peace and security, human rights and development,

1. *Decides* to establish a forum on human rights, democracy and the rule of law to provide a platform for promoting dialogue and cooperation on issues pertaining to the relationship between these areas; the Forum shall identify and analyse best practices, challenges and opportunities for States in their efforts to secure respect for human rights, democracy and the rule of law;

2. *Expresses* its expectation that the Forum will contribute to the efforts of the Office of the United Nations High Commissioner for Human Rights to improve cooperation among United Nations mechanisms, bodies and specialized agencies, funds and programmes on activities related to the promotion of human rights, democracy and the rule of law, including at the regional level;

3. *Decides* that the Forum shall be open to the participation of States, United Nations mechanisms, bodies and specialized agencies, funds and programmes, intergovernmental organizations, regional organizations and mechanisms in the field of human rights, national human rights institutions and other relevant national bodies, academics and experts and non-governmental organizations in consultative status with the Economic and Social Council; the Forum shall also be open to other non-governmental organizations whose aims and purposes are in conformity with the spirit, purposes and principles of the Charter of the United Nations, based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996, and practices observed by the Human Rights Council through an open and transparent accreditation procedure in accordance with the Rules of Procedure of the Council, which will provide for timely information on the participation of and consultations with the States concerned;

[3] A/68/213/Add.1.

4. *Also decides* that the Forum shall meet every two years for two working days allocated to thematic discussions;

5. *Requests* the President of the Human Rights Council to appoint for each session, on the basis of regional rotation, and in consultation with regional groups, a chairperson of the Forum from candidates nominated by members and observers of the Council; the chairperson, serving in his or her personal capacity, shall be responsible for the preparation of a summary of the discussions of the Forum, to be made available to all its participants;

6. *Requests* the High Commissioner to provide all the necessary support to facilitate the convening of the Forum and the participation of relevant stakeholders from every region in its meetings, paying particular attention to ensuring the broadest possible and most equitable participation, with due regard to gender balance;

7. *Requests* the Secretary-General and the High Commissioner to provide the Forum with all the services and facilities necessary to fulfil its mandate;

8. *Decides* that the theme of the first session of the Forum, to be held in 2016, will be "Widening the democratic space: the role of youth in public decision-making".

56th meeting
26 March 2015

[Adopted by a recorded vote of 35 to 0, with 12 abstentions. The voting was as follows:

In favour:

Albania, Argentina, Bangladesh, Botswana, Brazil, Congo, Côte d'Ivoire, El Salvador, Estonia, France, Gabon, Germany, Ghana, India, Indonesia, Ireland, Japan, Kazakhstan, Kenya, Latvia, Maldives, Mexico, Montenegro, Morocco, Namibia, Netherlands, Pakistan, Paraguay, Portugal, Qatar, Republic of Korea, Sierra Leone, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Algeria,* Bolivia (Plurinational State of), China, Cuba, Ethiopia, Nigeria, Russian Federation, Saudi Arabia, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam]

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* The delegation of Algeria subsequently stated that there had been an error in its voting and that it had intended to vote in favour of the draft text.

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Human Rights Council
Twenty-eighth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council

28/15. The right to work

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action, and recalling the International Covenant on Economic, Social and Cultural Rights and other international human rights instruments relevant to the right to work,

Recalling Economic and Social Council resolutions 2007/2 of 17 July 2007, on the role of the United Nations system in providing full and productive employment and decent work for all, and 2008/18 of 24 July 2008, on promoting full employment and decent work for all,

Taking note of the International Labour Organization Declaration on Fundamental Principles and Rights at Work and its follow-up, adopted by the International Labour Conference at its eighty-sixth session, on 18 June 1998, the Declaration on Social Justice for a Fair Globalization, adopted by the Conference at its ninety-seventh session, on 10 June 2008, the Global Jobs Pact, adopted by the Conference at its ninety-eighth session, on 19 June 2009, and the resolution of the International Labour Organization on the follow-up to its Declaration on Fundamental Principles and Rights at Work, adopted by the Conference at its ninety-ninth session, on 15 June 2010,

Recognizing the primary role, mandate, expertise and specialization of the International Labour Organization within the United Nations system in relation to the promotion of decent work and full and productive employment for all,

Reaffirming that all human rights, civil, political, economic, social and cultural rights, including the right to development, are universal, indivisible, interrelated, interdependent and mutually reinforcing, and that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis,

Emphasizing that States should undertake to guarantee that the right to work is to be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Underscoring the equal right of men and women to the enjoyment of all human rights, including the right to work, and recognizing that women are on many occasions subject to discrimination in the context of realizing their rights in that regard on an equal basis with men,

Recognizing that progress has been made, yet deeply concerned that many persons with disabilities in all regions continue to face significant obstacles in exercising their right to work on an equal basis with others,

Reaffirming, as enshrined in the International Covenant on Economic, Social and Cultural Rights, the right to work, which includes the right of everyone to the opportunity to gain his or her living by work which he or she freely chooses or accepts, and that States should take steps to achieve the full realization of that right, including technical and vocational guidance and training programmes, policies and techniques, to achieve steady economic, social and cultural development and full and productive employment under conditions that safeguard the fundamental political and economic freedoms of the individual,

Reaffirming also, as enshrined in the International Covenant on Economic, Social and Cultural Rights, the right of everyone to the enjoyment of just and favourable conditions of work,

Reaffirming further that States have the primary responsibility to ensure the full realization of all human rights and to endeavour to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of their available resources, with a view to progressively achieving the full realization of the right to work, including in particular the adoption of legislative measures,

Recalling the United Nations Millennium Declaration and the Millennium Development Goals, in particular target 1 (b) of the Goals, to achieve full and productive employment and decent work for all, including women and young people,

Recognizing that full and productive employment and decent work for all are key elements of poverty-reduction strategies that facilitate the achievement of the internationally agreed development goals, including the Millennium Development Goals, and that they require a multidimensional focus that incorporates Governments, the private sector, civil society organizations, representatives of employers and workers, international organizations and, in particular, the agencies of the United Nations system and international financial institutions,

Encouraging States to pay due consideration to the right to work and the issue of full and productive employment and decent work for all in the ongoing negotiations on the elaboration of the post-2015 development agenda, and welcoming the inclusion of the promotion of sustained, inclusive and sustainable economic growth and decent work for all as a proposed stand-alone goal in the report of the Open Working Group on Sustainable Development Goals,[1]

Concerned that global unemployment stood at 201.3 million in 2014, representing an increase of 1.2 million compared with the previous year and of about 31 million

[1] A/68/970

compared with 2007, and highlighting the severe impact that the international economic and financial crisis has had in that regard,

Expressing deep concern that approximately 74.5 million young people are unemployed and that the global youth unemployment rate is around 13.1 per cent, and resolved in that regard to pay particular attention to the realization of the right to work for young people, bearing in mind the fundamental importance of equal opportunities, education and vocational training in the context of realizing the right to work for young people,

Underscoring that there is an urgent need to create at the national and international levels an environment that is conducive to the attainment of full and productive employment and decent work for all as a foundation for sustainable development, and that an environment that supports investment, growth and entrepreneurship is essential to the creation of new job opportunities, and reaffirming that opportunities for men and women to obtain productive work in conditions of freedom, equity, security and human dignity are essential to ensuring the eradication of hunger and poverty, the improvement of economic and social well-being for all, the achievement of sustained economic growth and sustainable development of all nations and a fully inclusive and equitable globalization,

Recognizing that employment should be a central objective of economic and social policies at the national, regional and international levels for the sustainable eradication of poverty and for providing an adequate standard of living, and emphasizing in that regard the importance of relevant social protection measures, including social protection floors,

Encouraging the private sector to continue to exercise its vital role in generating new investments, job opportunities and financing for development and in advancing efforts towards the full realization of the right to work and the promotion of full and productive employment and decent work for all,

Acknowledging the work of the treaty bodies, in particular the Committee on Economic, Social and Cultural Rights, in relation to the right to work,

Acknowledging also the work of United Nations agencies, programmes and funds, in particular the International Labour Organization, in supporting the efforts of States to promote full and productive employment and decent work for all and the full realization of the right to work,

1. *Requests* the United Nations High Commissioner for Human Rights to prepare a report in consultation with States, United Nations agencies, funds and programmes, particularly the International Labour Organization, as well as the treaty bodies, special procedures, civil society and other relevant stakeholders on the realization of the right to work, in accordance with their respective obligations under international human rights law and the relevant major challenges and best practices in that regard, and to submit the report to the Human Rights Council prior to its thirty-first session;

2. *Decides* to remain seized of the matter.

56th meeting
26 March 2015

[Adopted without a vote.]